

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**TRISTAR INVESTORS, INC.,**

**Plaintiff,**

**V.**

**AMERICAN TOWER CORPORATION, et  
al.,**

## Defendants.

**AMERICAN TOWER, LLC, et al.,**

## Counter-Plaintiffs,

**V.**

**TRISTAR INVESTORS, INC.,**

**Counter-Defendant.**

**CIVIL ACTION NO. 3:12-cv-499**

## JOINT MOTION TO CHANGE SCHEDULING ORDER DEADLINES

Pursuant to Paragraph 14 of the Second Amended Scheduling Order (Dkt. #319), the parties jointly move for revised scheduling order deadlines as set forth in the table below. The parties also hereby give notice to the court of their agreement to establish additional deadlines as reflected below. Each requested change to a Scheduling Order deadline results in the deadline being earlier than the deadline set forth in the Second Amended Scheduling Order:

|     | <b>DESCRIPTION</b>                                                                                                                                          | <b>SCHED. ORDER<br/>DEADLINE<br/>[PARAGRAPH]</b>       | <b>PARTIES'<br/>PROPOSED<br/>DEADLINE</b>                        |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------|
| 1.  | Witness Lists to be filed                                                                                                                                   | July 7, 2014<br>[11(a)(2)]                             | June 20, 2014                                                    |
| 2.  | Deposition Designations to be filed                                                                                                                         | July 7, 2014<br>[11(a)(3)]                             | June 20, 2014                                                    |
| 3.  | Rule 26(a)(3)(a)(i)-(iii) Pretrial Disclosures to be served (names of witnesses; designation of witnesses that party intends to call by depo; exhibit list) | July 7, 2014<br>[8]                                    | June 27, 2014                                                    |
| 4.  | Exhibit Lists to be filed                                                                                                                                   | July 7, 2014<br>[11(a)(3)]                             | June 27, 2014                                                    |
| 5.  | Marked set of Exhibits to be exchanged electronically                                                                                                       | July 7, 2014<br>[11(a)(3)]                             | June 27, 2014                                                    |
| 6.  | Counter-Designations of Deposition Testimony and Optional Completeness Designations to be filed                                                             | N/A                                                    | June 30, 2014                                                    |
| 7.  | TriStar to send draft of its portion of the Pre-Trial Order                                                                                                 | N/A                                                    | June 30, 2014                                                    |
| 8.  | Settlement Conference                                                                                                                                       | June 30, 2014<br>[10]                                  | NO CHANGE –<br>June 30, 2014                                     |
| 9.  | ATC to send draft of its portion of the Pre-Trial Order                                                                                                     | N/A                                                    | July 2, 2014                                                     |
| 10. | Settlement Conference Report to be filed                                                                                                                    | July 3, 2014 (or w/in<br>3 bus. days of conf.)<br>[10] | NO CHANGE –<br>July 3, 2014 (or<br>w/in 3 bus. days of<br>conf.) |
| 11. | Optional Completeness Designations to counter-designations to be filed                                                                                      | N/A                                                    | July 3, 2014                                                     |
| 12. | Parties to meet in person to confer on exhibit objections, deposition objections, and any other evidentiary stipulations                                    | N/A                                                    | July 3, 2014                                                     |
| 13. | Joint Pretrial Order to be filed                                                                                                                            | July 7, 2014<br>[11(a)(1)]                             | NO CHANGE –<br>July 7, 2014                                      |
| 14. | Marked set of Exhibits to be filed with Court                                                                                                               | July 7, 2014<br>[11(a)(3)]                             | NO CHANGE –<br>July 7, 2014                                      |
| 15. | Parties to meet in person to confer on                                                                                                                      | N/A                                                    | July 8, 2014                                                     |

|     |                                                   |                             |                              |
|-----|---------------------------------------------------|-----------------------------|------------------------------|
|     | motions in limine.                                |                             |                              |
| 16. | Objections to Deposition Designations to be filed | July 14, 2014<br>[8]        | July 10, 2014                |
| 17. | Motions in Limine to be filed                     | July 10, 2014<br>[12]       | NO CHANGE –<br>July 10, 2014 |
| 18. | Jury Instructions to be filed                     | July 10, 2014<br>[11(b)(1)] | NO CHANGE –<br>July 10, 2014 |
| 19. | Proposed Voir Dire Questions to be filed          | July 10, 2014<br>[11(b)(2)] | NO CHANGE –<br>July 10, 2014 |
| 20. | Objections to Witness Lists to be filed           | July 10, 2014<br>[12]       | NO CHANGE –<br>July 10, 2014 |
| 21. | Objections to Exhibits to be filed                | July 14, 2014<br>[8]        | NO CHANGE –<br>July 14, 2014 |
| 22. | Responses to Motions in Limine to be filed        | N/A                         | July 15, 2014                |
| 23. | Pretrial Conference                               | July 15, 2014<br>[13]       | NO CHANGE –<br>July 15, 2014 |
| 24. | Jury Trial                                        | July 21, 2014<br>[1]        | NO CHANGE –<br>July 21, 2014 |

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 3, 2014, I served a true and accurate copy of the foregoing document on all counsel of record via filing of the same with the Court's CM/ECF system.

/s/ Kyle D. Young